

reimbursement, any service, equipment, personnel, or facility of that Federal agency; and

(5) coordinate with the heads of the Offices of Small and Disadvantaged Business Utilization of Federal agencies.

(b) **USE OF PROPERTY.**—

(1) **IN GENERAL.**—Subject to paragraph (2), in carrying out this division, the Under Secretary may, without cost (except for costs of care and handling), allow any public sector entity, or any recipient nonprofit organization, for the purpose of the development of minority business enterprises, to use any real or tangible personal property acquired by the Agency in carrying out this division.

(2) **TERMS, CONDITIONS, RESERVATIONS, AND RESTRICTIONS.**—The Under Secretary may impose reasonable terms, conditions, reservations, and restrictions upon the use of any property under paragraph (1).

SEC. 7702. FEDERAL ASSISTANCE.

(a) **IN GENERAL.**—

(1) **PROVISION OF FEDERAL ASSISTANCE.**—To carry out sections 7101, 7102, and 7103(a), the Under Secretary may provide Federal assistance to public sector entities and private sector entities in the form of grants or cooperative agreements.

(2) **NOTICE.**—Not later than 120 days after the date on which amounts are appropriated to carry out this section, the Under Secretary shall, in accordance with subsection (b), broadly publish a statement regarding Federal assistance that will, or may, be provided under paragraph (1) during the fiscal year for which those amounts are appropriated, including—

(A) the actual, or anticipated, amount of Federal assistance that will, or may, be made available;

(B) the types of Federal assistance that will, or may, be made available;

(C) the manner in which Federal assistance will be allocated among public sector entities and private sector entities, as applicable; and

(D) the methodology used by the Under Secretary to make allocations under subparagraph (C).

(3) **CONSULTATION.**—The Under Secretary shall consult with public sector entities and private sector entities, as applicable, in deciding the amounts and types of Federal assistance to make available under paragraph (1).

(b) **PUBLICITY.**—In carrying out this section, the Under Secretary shall broadly publicize all opportunities for Federal assistance available under this section, including through the means required under section 7116.

SEC. 7703. RECORDKEEPING.

(a) **IN GENERAL.**—Each recipient of assistance under this division shall keep such records as the Under Secretary shall prescribe, including records that fully disclose, with respect to the assistance received by the recipient under this division—

(1) the amount and nature of that assistance;

(2) the disposition by the recipient of the proceeds of that assistance;

(3) the total cost of the undertaking for which the assistance is given or used;

(4) the amount and nature of the portion of the cost of the undertaking described in paragraph (3) that is supplied by a source other than the Agency; and

(5) any other record that will facilitate an effective audit with respect to the assistance.

(b) **ACCESS BY GOVERNMENT OFFICIALS.**—The Under Secretary, the Inspector General of the Department of Commerce, and the Comptroller General of the United States, or any duly authorized representative of any

such individual, shall have access, for the purpose of audit, investigation, and examination, to any book, document, paper, record, or other material of the Agency or an MBDA Business Center.

SEC. 7704. REVIEW AND REPORT BY COMPTROLLER GENERAL.

Not later than 4 years after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a thorough review of the programs carried out under this division; and

(2) submit to Congress a detailed report of the findings of the Comptroller General of the United States under the review carried out under paragraph (1), which shall include—

(A) an evaluation of the effectiveness of the programs in achieving the purposes of this division;

(B) a description of any failure by any recipient of assistance under this division to comply with the requirements under this division; and

(C) recommendations for any legislative or administrative action that should be taken to improve the achievement of the purposes of this division.

SEC. 7705. BIENNIAL REPORTS; RECOMMENDATIONS.

(a) **BIENNIAL REPORT.**—Not later than 1 year after the date of enactment of this Act, and 90 days after the last day of each odd-numbered year thereafter, the Under Secretary shall submit to Congress, and publish on the website of the Agency, a report of each activity of the Agency carried out under this division during the period covered by the report.

(b) **RECOMMENDATIONS.**—The Under Secretary shall periodically submit to Congress and the President recommendations for legislation or other actions that the Under Secretary determines to be necessary or appropriate to promote the purposes of this division.

SEC. 7706. SEPARABILITY.

If a provision of this division, or the application of a provision of this division to any person or circumstance, is held by a court of competent jurisdiction to be invalid, that judgment—

(1) shall not affect, impair, or invalidate—

(A) any other provision of this division; or

(B) the application of this division to any other person or circumstance; and

(2) shall be confined in its operation to—

(A) the provision of this division with respect to which the judgment is rendered; or

(B) the application of the provision of this division to each person or circumstance directly involved in the controversy in which the judgment is rendered.

SEC. 7707. EXECUTIVE ORDER 11625.

The powers and duties of the Agency shall be determined—

(1) in accordance with this division and the requirements of this division; and

(2) without regard to Executive Order 11625 (36 Fed. Reg. 19967; relating to prescribing additional arrangements for developing and coordinating a national program for minority business enterprise).

SEC. 7708. AMENDMENT TO THE FEDERAL ACQUISITION STREAMLINING ACT OF 1994.

Section 7104(c) of the Federal Acquisition Streamlining Act of 1994 (15 U.S.C. 644a(c)) is amended by striking paragraph (2) and inserting the following:

“(2) The Under Secretary of Commerce for Minority Business Development.”

SEC. 7709. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Under Secretary \$100,000,000 for each of fiscal years 2021 through 2025 to carry out this division, of which—

(1) a majority shall be used in each such fiscal year to carry out the MBDA Business

Center Program under subtitle B of title I, including the component of that program relating to specialty centers; and

(2) \$10,000,000 shall be used in each such fiscal year to carry out title III.

SA 1973. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. FINDINGS AND SENSE OF THE SENATE REGARDING AN INVESTIGATION TO DETERMINE THE ORIGINS OF COVID-19.

(a) **FINDINGS.**—Congress finds the following:

(1) COVID-19 has taken the lives of over 3,000,000 individuals around the world.

(2) Understanding the origins of the COVID-19 pandemic is essential to addressing our vulnerabilities and preventing future crises.

(3) In May 2020, the World Health Assembly did not authorize the type of comprehensive investigation into the origins of COVID-19 that was required, and instead passed a significantly limited compromise resolution, with Chinese government support, which did not explicitly include in its scope the possibility of a research-related accident.

(4) The 2020 World Health Assembly resolution and its terms of reference, which were negotiated privately between the World Health Organization (in this section referred to as “WHO”) and Chinese authorities, handed the Chinese government control over the joint-study process by giving the Chinese government veto power over which international experts were allowed to participate in the joint study and by agreeing that most primary research would be carried out by Chinese teams without ensuring broad access to primary data by international experts.

(5) As a result of these terms, the significant structural, procedural, and analytical shortcomings of the joint study, and the severe restrictions imposed by Chinese authorities, the WHO-convened joint study into the origins of COVID-19 was prevented from giving a balanced consideration of the multiple theories of the origin of COVID-19.

(6) Only 4 of the 313 pages of the joint-study team report and its annexes addressed the possibility of a laboratory accident, and no thorough examination of the lab incident hypothesis was carried out by the joint-study team.

(7) Some of the international experts on the joint-study team stated that they lacked the means and resources to properly investigate the research-related accident hypothesis, and they were neither able nor meant to do such a full investigation but instead were acting as a “study review group”.

(8) WHO Director-General Dr. Tedros Adhanom Ghebreyesus commented on March 30, 2021, the day the joint-study report was released, “I do not believe that [the joint-study team’s] assessment [of a possible lab incident] was extensive enough. Further data and studies will be needed to reach more robust conclusions . . . potentially with additional missions involving specialist experts, which I am ready to deploy.”

(9) The WHO Director-General further commented, "As far as WHO is concerned all hypotheses remain on the table . . . We have not yet found the source of the virus, and we must continue to follow the science and leave no stone unturned as we do . . . It is clear that we need more research across a range of areas, which will entail further field visits."

(10) The March 30, 2021 Joint Statement on the WHO-convened COVID-19 Origins Study by the United States and 13 other countries recognized the severe shortcomings of the joint-study process and called for "a transparent and independent analysis and evaluation, free from interference and undue influence."

(11) In spite of the devastation the COVID-19 pandemic has caused in the United States and around the world, no process currently exists to ensure a comprehensive investigation into the origins of COVID-19.

(12) Such an investigation is essential for ensuring this type of crisis never happens again for the benefit of all people, all nations, and future generations.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) a comprehensive scientific and forensic investigation to determine the origins of COVID-19 must be conducted immediately, with full and unrestricted access to all relevant records, samples, and personnel, particularly in China, and that such investigation must fully explore all possible origins of the COVID-19 pandemic, including an exclusively "natural" zoonosis in the wild, human contamination in an animal farm, and a research-related accident;

(2) the United States delegation to the World Health Assembly should do everything in its power, in concert with allies and partners around the world, to ensure that a full and unrestricted international scientific and forensic investigation into the origins of COVID-19, with full access to all relevant records, samples, and personnel in China, will be authorized by the World Health Assembly and implemented with extreme urgency; and

(3) if the Chinese government does not, by the end of the 2021 World Health Assembly, indicate its full support for a comprehensive investigation to determine the origins of COVID-19 with unrestricted access to all relevant records, samples, and personnel in China, then the United States Government should immediately begin planning a parallel comprehensive and data-driven investigation into the origins of COVID-19, in concert with willing partner governments and experts around the world.

AUTHORITY FOR COMMITTEES TO MEET

Ms. HIRONO. Mr. President, I have a request for one committee to meet during today's session of the Senate. It has the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committee is authorized to meet during today's session of the Senate:

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Monday, May 24, 2021, at 6 p.m., to conduct a closed hearing.

PRIVILEGES OF THE FLOOR

Mr. WYDEN. Mr. President, I ask unanimous consent that the following members from my personal office and Committee on Finance teams be granted floor privileges for the remainder of the Congress: Jake Pasner, Jonathan Beier, Erik Schnotala, Raghav Aggarwal, and Marisa Dowling.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURES PLACED ON THE CALENDAR—S. 1775 and H.R. 3237

Mr. SCHUMER. Madam President, I understand there are two bills at the desk due for a second reading en bloc.

The PRESIDING OFFICER. The leader is correct.

The clerk will read the bills by title for the second time en bloc.

The senior assistant legislative clerk read as follows:

A bill (S. 1775) to address gun violence, improve the availability of records to the National Instant Criminal Background Check System, address mental illness in the criminal justice system, and end straw purchases and trafficking of illegal firearms, and for other purposes.

A bill (H.R. 3237) making emergency supplemental appropriations for the fiscal year ending September 30, 2021, and for other purposes.

Mr. SCHUMER. Madam President, in order to place the bills on the calendar under the provisions of rule XIV, I would object to further proceeding en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be placed on the calendar.

CONGRATULATING THE STUDENTS, PARENTS, TEACHERS, AND LEADERS OF CHARTER SCHOOLS ACROSS THE UNITED STATES FOR MAKING ONGOING CONTRIBUTIONS TO EDUCATION, AND SUPPORTING THE IDEALS AND GOALS OF THE 22ND ANNUAL NATIONAL CHARTER SCHOOLS WEEK, TO BE HELD MAY 9 THROUGH MAY 15, 2021

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 230, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 230) congratulating the students, parents, teachers, and leaders of charter schools across the United States for making ongoing contributions to education, and supporting the ideals and goals of the 22nd annual National Charter Schools Week, to be held May 9 through May 15, 2021.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made

and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 230) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

EXPRESSING SUPPORT FOR THE DESIGNATION OF MAY 17, 2021, AS "DIPG PEDIATRIC BRAIN CANCER AWARENESS DAY"

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 231, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 231) expressing support for the designation of May 17, 2021, as "DIPG Pediatric Brain Cancer Awareness Day" to raise awareness of and encourage research on diffuse intrinsic pontine glioma tumors and pediatric cancers in general.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 231) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR TUESDAY, MAY 25, 2021

Mr. SCHUMER. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, May 25; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, upon the conclusion of morning business, the Senate proceed to executive session to resume consideration of Executive Calendar No. 117, Chiquita Brooks-LaSure, to be Administrator of the Centers for Medicare and Medicaid Services, postcloture; further, that all time on the Brooks-LaSure nomination be considered expired at 11:45 a.m.; that the Senate recess following the cloture vote on the Clarke nomination until 2:15 p.m. to allow for the weekly caucus meetings; that if cloture is invoked on the Clarke nomination, all postcloture debate time be considered expired at 2:30 p.m.; and finally, that if any of the nominations are confirmed, the motions to reconsider be considered made